

United States District Court
for the Western District of Pennsylvania

FILED

MAR - 8 2016

United States of America,

v.

Frederick Banks,

(that's magic!)
Defendant

15-CR-168
CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

[Evidentiary Hearing Requested]

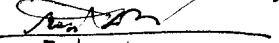
Motion to Dismiss Superseding Indictment

Defendant Frederick Banks files the foregoing motion and represents as follows

1. Defendant has learned that before the superseding indictment was returned he was corresponding with the grand jury foreperson on the Grand Jury that returned the superseding indictment about the exact same issues concerning Court 1. The correspondence concerned "T.P." Timothy punishing setting up defendant by repairing an outfit of DVO/CO paper and by painting his handgun at Meredith Bondi a protection witness and former fiancée of defendant in case USA v. Banks, 03-CR-245 (WDPA) and then bringing the current allegations of Court 1 in this case in retaliation for defendant having filed litigation to expose punishment and the FBI setup and refusal to investigate punishment. Also included were complaints about the delay in this case and the Court.
2. As a result the entire Grand Jury process was infected and violated the 5th Amendment Grand Jury Clause and 5th Amendment due process.
3. The Grand Jury foreperson works for the Western Region office of the ACLU and he received and processed correspondence from defendant before the superseding indictment was returned but responded after. He declined to accept a proposed lawsuit against the USA for defendant's allegations and he referred him to other parties. His signature is an exact match as the signature on the indictment and superseding indictment filed in this case. See Exhibit A ACLU letter from Intake Coordination attached hereto.
4. As a result of the foregoing allegations the superseding indictment should be dismissed with prejudice. Defendant suffered actual prejudice, financial prejudice he went into debt by being made involvement, lost numerous business deals and income. Legal prejudice as alleged above and oppressive incarceration. Defendant is maintained in solitary confinement 24/7 without awaiting a decision on a bail motion in this case. His cell contains standing water and he contracted a skin disease on his arms and back which has not been treated. Also, the jail does not provide him with tools to practice his Wicca religion or a religious voluntary.

Wherefore, the foregoing motion should be granted. A hearing should be ordered on this issue.

Respectfully Submitted,


Frederick Banks
#120159
AES, 450 Second Ave
Pittsburgh, PA 15219
Defendant

Certificate of Service

I hereby certify that on this 2nd day of March, 2016 I served a true and correct copy of the foregoing motion by mail delivery upon the following:

Office of the U.S. Attorney
400 US Courthouse
1200 Grant St
Pgh PA 15219


Frederick Banks